

EHS Regulatory Updates

Compiled for the Pine Chemicals Association

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UPCOMING CONFERENCES

- 2026 NSC Conference and Expo, Indianapolis IN, 9/14-16/2026
PCA International Conference, Lisbon, Portugal, 9/13-15/2026
2026 Global Conference on Process Safety & Big Data, Frankfurt, Germany, 9/15-16/2026
SOCMA Summit and Annual Meeting, Atlanta GA, 11/11-13/2026

SAFETY

OSHA Schedules Virtual Hearings on Proposed Rules and Deregulatory Efforts -

“OSHA is scheduled to kick off a series of virtual public hearings on [more than 20 proposed rules](#), all of which are part of the agency’s [deregulatory efforts](#). According to a notice [published](#) on June 3, 16 of the proposed rules apply to chemical substances, including [1,3-butadiene](#), [asbestos](#), [benzene](#), cotton dust and [lead](#). “The intent of each proposal is to reduce compliance burdens, allow for the use of more up-to-date technology and/or better align the rules with the general Respiratory Protection standard ([1910.134](#)) to improve the comprehensibility of the requirements for respiratory protection programs for each chemical,” OSHA says.

“Other proposed rules are intended to:

- Remove medical evaluation requirements for employees wearing filtering facepiece respirators or loose-fitting powered air-purifying respirators. In another notice [published](#) on June 3, OSHA extended the comment period for this proposal to July 6.
- End the [Safety Color Code for Marking Physical Hazards standard](#) and remove other related paragraphs in sawmills, shipyards and textiles standards.
- Eliminate a 2036 deadline for installing [ladder safety](#) or personal fall arrest systems on fixed ladders that extend more than 24 feet above a lower level.

The first hearing is set for 9:30 a.m. Eastern on Aug. 19.

“To testify, provide documentary evidence or question other witnesses at the hearing, interested persons must electronically submit their Notice of Intention to Appear (NOITA) [on or before July 6](#),” OSHA says. “In addition, those who request more than 10 minutes for their presentation at the informal hearing and those who intend to submit documentary evidence at the hearing must submit the full text of their testimony, as well as a copy of any documentary evidence, no later than Aug. 5.” ([safetyandhealthmagazine.com](#), 6/5/2026.)

Six Tips to Prevent Heat-Related Illness and Enforcement - “Heat illness, heat stress, and related conditions can be prevented. Here are six ways safety leaders protect their workers from heat’s adverse effects.

1. New employees and employees returning from absence need time to condition their bodies to warm to hot working environments. . .
2. Human bodies need time to cool down throughout the day. Employees should be encouraged to take breaks in shaded or air-conditioned areas to help regulate their internal body temperature throughout the day. . .
3. Depending on the heat of the day, your workers may need a shorter, earlier workday with more frequent breaks. . .
4. OSHA has suggested that workers drink water every 15 minutes. It may be too late to hydrate once the body has used up all its water. . .
5. Workers should be able to identify when they or their coworkers are exhibiting symptoms of overheating, like flushed faces or light-headedness. . .

6. Employers need to be proactive and watch their workers. Recognizing heat exhaustion early may make the difference between heat exhaustion and heat stroke. While OSHA's workplace safety and health regulations do not yet contain a Heat Standard, one is [in progress](#). Employers can be cited under the General Duty Clause of the OSH Act of 1970 for not protecting employees from known hazards, including heat-related hazards. . . In [April 2026](#), OSHA revised its National Emphasis Program (NEP) to protect employees from heat-related hazards in outdoor and indoor workplaces." Read the full article [here](#). (Lion Technology, Inc., 6/10/2026.)

Runaway Reaction and Explosion: Facts, Cause, and Six Safety Lessons - "On November 12, 2024, at a caramel coloring manufacturing facility in Louisville, Kentucky, a batch reactor's pressure control valve failed while in the closed position. Blocked-in gases and vapors resulted in abnormally high temperature and pressure levels, and an accelerated reaction from a caramel coloring sugar ingredient added to the rapidity with which temperature and pressure built. Facility personnel were unaware that the sugar ingredient could react like this. So, the cooling system and emergency pressure relief system were not ready for the scenario, and neither system could stop the exponentially rising temperature and pressure. The reactor's maximum allowable working pressure was 75 psig. The maximum pressure recorded at the time of the event was 237 psig. Then, the reactor exploded. The incident killed two workers and injured three more." Read the full article [here](#) to learn the six safety lessons. Click [here](#) to read the Chemical Safety Board's final report. (Lion Technology, Inc., 6/4/2026.)

Help Sheet: Injury and Illness Reporting - "Dive into Lion's *Ultimate Guide to Injury & Illness Reporting and Recordkeeping* for reporting deadlines, what makes a case "recordable," and the nine exceptions to OSHA's criteria for recordability." Click [here](#) to access the guide. (Lion Technology, Inc., 6/26/2026.)

U.S. Chemical Safety Board Opens Investigation into Fatal Chemical Tank Implosion at Nippon Dynawave Paper Mill in Washington - No industry is immune from the risk of a tank implosion. We hope to learn from this tragic incident.

"The U.S. Chemical Safety and Hazard Investigation Board (CSB) announced today that it is opening an investigation into the fatal chemical tank implosion at the Nippon Dynawave Packaging paper mill facility in Longview, Washington, that occurred during the early morning hours of May 26. A team of CSB investigators will be arriving at the incident site in Longview today. According to local authorities, the incident involved the rupture and implosion of a large tank containing white liquor, a corrosive chemical solution used in paper and pulp processing. Initial reports to the CSB indicate that the incident resulted in multiple fatalities and serious injuries. Several workers are unaccounted for as emergency response and recovery operations continue. CSB Chairperson Steve Owens said, 'The CSB is opening an investigation into this tragic incident to determine how it happened and what can be done to prevent something like this from happening again.' The CSB will provide additional information as it becomes

available. Updates on the investigation will be posted at the agency's website." (csb.gov, 5/27/2026.)

[Webinar] OSHA's Proactive Enforcement Playbook: Are You Ready for an Emphasis Program Inspection? - "Join [Eric J. Conn](#), [Aaron R. Gelb](#) and [Hema Steele](#) on Tuesday, July 14, at 1 pm ET / 10 am PT, for a webinar titled 'OSHA's Proactive Enforcement Playbook: Are You Ready for an Emphasis Program Inspection?' Employers expect OSHA to show up after reporting a serious incident or when employees complain about certain types of hazards, but the agency has been focused now, more than ever it seems, on proactive enforcement methods [National Emphasis Programs].

"As part of this strategy, OSHA launched a series of new National Emphasis Programs (NEP) targeting heat illness, silica, and the warehousing industry during the Biden Administration, while also announcing a number of new Regional and Local Emphasis Programs (REP and LEP) across the country. To the surprise of many observers, Trump's OSHA renewed the Amputations NEP for another 5 years, while also extending the Heat Illness NEP for another year. While it remains to be seen if any emphasis programs will be rescinded by OSHA's new leadership, covered employers should take note because their establishments can be selected for an inspection under these programs even if they have an exemplary safety record, have not been subjected to any complaints, and have not recently reported a serious incident. Understanding these enforcement priorities is vital for companies to better prepare for potential regulatory inspections. [Click here to register.](#)" Read the full article [here](#). (OSHA Defense Report, 6/30/2026.)

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EPA Restores Title V Affirmative Defense Protections - “On June 1, 2026, the Environmental Protection Agency issued a [final rule](#) withdrawing a 2023 rule, *Removal of Title V Emergency Affirmative Defense Provisions from State Operating Permit Programs and Federal Operating Permit Program* (the 2023 Affirmative Defense Rule). The withdrawal reinstates the longstanding emergency-related affirmative defense provisions in the EPA’s Title V operating permit program that shield regulated entities against claims for noncompliance with technology-based emission limitations during an emergency.

“With the withdrawal now effective, the emergency affirmative defense at 40 CFR 70.6(g) and 71.6(g) is once again available to permittees. Under the reinstated provisions, a permittee may assert the affirmative defense in an enforcement proceeding for noncompliance with technology-based emission limitations if it demonstrates through properly signed, contemporaneous operating logs or other relevant evidence that:

1. An emergency occurred and the permittee can identify the cause(s) of the emergency;
2. The permitted facility was at the time being properly operated;
3. During the period of the emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emission standards or other requirements in the permit; and
4. The permittee submitted notice of the emergency to the permitting authority within two working days of the time when emission limitations were exceeded due to the emergency, including a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.¹⁰

The permittee bears the burden of proof in establishing the occurrence of an emergency. Importantly, the definition of ‘emergency’ does not include noncompliance caused by improperly designed equipment, lack of preventive maintenance, careless or improper operation, or operator error.” (Lexology, Mayer Brown LLP, 6/11/2026.)

EPA Aligns with HazCom, Impacts Tier II Reporting, Combustible Dust - “The US EPA finalized a rule to conform the Federal environmental regulations with OSHA’s 2024 Hazard Communication Standard (HCS) update. In doing so, the Agency revised the EPCRA hazard categories and the definition of *hazard category*, removed an obsolete term, and acknowledged OSHA’s new definition for *combustible dust* without incorporating it into 40 CFR. The rule changes go into effect August 21, 2026. View the [Final Rule](#) in the *Federal Register*.” Read the full article [here](#). (Lion Technology, Inc., 6/25/2026.)

EPA Withdraws Proposed RCRA Rule Addressing Scope of Corrective Action -

“On [May 8, 2026](#), the United States Environmental Protection Agency announced it would withdraw a proposed rule under the Resource Conservation and Recovery Act (RCRA) first issued in 2024 that could have required the remediation of a potentially ambiguous category of constituents under RCRA’s ‘Hazardous Wastes’ definition. RCRA was enacted, in large part, to manage a defined category of materials, ‘Hazardous Wastes,’ from ‘[cradle-to-grave](#).’ In 2024,

EPA issued a [proposed rule](#) that would have expanded the regulatory definition of “Hazardous Waste” as applied to corrective action at RCRA-permitted facilities to include all wastes that ‘cause, or significantly contribute to an increase in mortality or an increase in serious irreversible, or incapacitating reversible, illness.’ EPA’s withdrawal announcement removes this proposed rule under which any constituent meeting this general category could possibly have been administered through the RCRA framework. [EPA’s announcement](#) explains that the 2024 proposed rule ‘would have complicated, rather than contributed to, efficient implementation of cleanup at hazardous waste facilities.’ Additional information regarding this removal can be found at [EPA’s website](#) entitled “Withdrawal of Proposal to Clarify Authority to Address Releases of Hazardous Waste at Treatment, Storage, and Disposal Facilities.” (Lexology, Bryan Cave Leighton Paisner LLP, Erin L. Brooks, et al. 5/28/2026.)

What Is Hazardous Waste Minimization and Why Is It Required? - “[EPA] requires that generators who initiate shipments of hazardous waste certify that they made an effort to minimize or reduce the amount of hazardous waste their activities generated. . . . Waste minimization typically involves either source reduction or sound recycling methods. This does not include treatment (i.e., any process designed to change the physical, chemical, or biological composition of waste). Source reduction refers to any practice that reduces the amount of hazardous waste generated by production processes. Recycling often means either the reuse or sale of a production by-product rather than discarding it.” Waste minimization can also result in substantial savings. Read the full short article [here](#). (Lion Technology, Inc., 6/17/2026.)

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